

### **REMARKS**

Favorable reconsideration of this application, in light of the preceding amendments and following remarks is respectfully requested.

Claims 1, 3, 6, and 12-24 are pending in this application. Claims 1, 3, 6, and 12-20 are amended and claims 21-24 are new. Claims 4, 5, 7-8, 10 and 11 are cancelled. Claims 1 and 12-15 are independent claims. No new matter has been added.

### **Information Disclosure Statements**

Applicants appreciate the Examiner's consideration of the references included in the Information Disclosure Statements filed April 16, 18, and 24, 2008, July 2, 2008, August 20 and 27, 2008, September 15, 2008, and October 9 and 30, 2008.

### **Examiner Interview**

Applicants thank the Examiner for his time on January 21, 2009, during which an interview was conducted with Applicants' representative. A proposed claim 1 and Kawada were discussed. No agreement was reached.

### **Drawings**

Applicants have amended Figures 2, 4, and 6-9 to further clarify the different types of files shown.

### **Claim Objections**

Claims 6, 12, and 13 are objected to for minor informalities. Applicants have amended claims 6 and 12-13 as indicated by the Examiner and therefore request withdrawal of the pending objections.

### **Claim Rejections under 35 U.S.C. § 112, second paragraph**

Claims 1, 3, 6-7, and 16 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have amended claim 1 as indicated by the Examiner and therefore request withdrawal of the pending rejections.

### **Claim Rejections under 35 U.S.C. § 102**

Claims 1, 3, 6-7, and 12-13 stand rejected under 35 U.S.C. § 102(b) as anticipated by Kawada et al. (U.S. Patent Pub. No. 2002/0001385, herein Kawada). Applicants respectfully traverse this rejection.

Independent claim 1 recites *inter alia*,

an information file including a first playback indicator, identifying a segment in a separate file from the information file; the separate file including the identified segment including at least one navigation command for launching a playlist file, the playlist file being separate from the separate file; and a playlist file launched by the navigation command, the playlist file including a playitem representing a playing interval in a clip of a data stream for the first playback.

Applicants respectfully submit that Kawada does not disclose all of the above features.

The Office Action cites FIGS. 3 and 7 of Kawada as disclosing the features recited in independent claims 1 and 12-13. FIGS. 3 and 7 of Kawada appear to be directed to illustrating a DVD directory and the corresponding files and/or items included therein. For example, elements 6 and 7 are part of the VIDEO\_TS.ifo file (see, FIG. 9), which is under the TITLE SET INDEX 4 directory listing. Further, element 6 includes jump commands pointing to element 7 and element 7 includes jump commands and a pointer pointing to a MENU VOB file 5 (element 5 is also under the TITLE SET INDEX 4 directory listing).

Based on FIGS. 3 and 7, the Examiner appears to allege that element 6 corresponds to the claimed information file and that a jump command included in element 6 (pointing to element 7) corresponds to the claimed segment. However, as indicated above, the claimed information file and the claimed separate file (including the identified segment) are separate, whereas the jump command pointing to element 7 is part of element 6, which is further part of the same file as element 7.

In addition, the Examiner cites paragraphs [0043] to [0044] as disclosing the claimed playlist file including a playitem representing a playing interval in a clip of a data stream for the first playback. However, the cited paragraphs only disclose how to play a title back through the use of various jump commands. Applicants submit that there is no disclosure of a playlist file, let alone a playlist file including a playitem representing a playing interval in a clip of a data stream. Nor does Kawada disclose an identified segment including a

navigation command for launching a playlist file in a separate file from the playlist file.

In view of the above, Applicants submit that independent claim 1 is allowable as are independent claims 12 and 13 for having similar features. In addition, dependent claims 3 and 6 are also allowable, at least for depending from an allowable base claim.

### **Claim Rejections under 35 U.S.C. § 103**

Claims 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawada in view of Taira et al. (US Patent No. 6,009,234, herein Taira). Applicants respectfully traverse this rejection.

Applicants submit that independent claims 14-15 include similar features as independent claim 1 above. Applicants further submit that Taira does not cure the deficiencies identified above with reference to Kawada. Therefore, independent claims 14-15 are allowable.

Claims 16-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawada. Applicants respectfully traverse this rejection.

Applicants respectfully submit that dependent claims 19 and 20 should be rejected over Kawada in view of Taira as they are dependent on independent claims 14 and 15 respectively. However, Applicants submit that as argued above, Kawada does not teach all the features of the independent claims nor does the combination of Taira cure the deficiencies of Kawada. Therefore,

Applicants submit that dependent claims 16-23 are allowable, at least for depending on allowable base claims.

**CONCLUSION**

In view of above remarks and amendments, reconsideration of the outstanding rejection and allowance of all the pending claims, 1, 3, 6, and 12-24, is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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